

DELEGATION OF AUTHORITY

DATE: 7-10-2018

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,  
COMPENSATION, AND LIABILITY ACT (CERCLA)

14-31. Administrative Penalty Actions

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 14-31 issued by EPA Headquarters on May 11, 1994.

B. Authority. Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, to:

- (1) make determinations of violations under Section 109;
- (2) assess penalties;
- (3) issue notices, orders or complaints;
- (4) compile the administrative record upon which the violation was found or the penalty was imposed;
- (5) negotiate consent orders memorializing settlements under Section 109 between the Agency and respondents, and
- (6) sign consent orders memorializing settlements under Section 109 between the Agency and respondents. Signing consent orders includes:
  - a. signing the consent agreement, and
  - b. signing the final order that ratifies the consent agreement.

2. TO WHOM REDELEGATED.

A. The authorities in 1.B.(1),(2),(3),(4),(5) and (6)a. are delegated to the Director, Office of Environmental Stewardship. The authority in 1.B.(6)b. is delegated to the Regional Judicial Officer.

B. The Director, OES, further redelegates his/her authority as follows:

- (1) The authorities in 1.B.(1),(2),(3),(4), and (6)a are delegated to the Manager, Legal Enforcement Office, OES.
- (2) The authority in 1.B.(5) is delegated to Agency attorneys as designated by the Manager, Regulatory Legal Unit, OES.

ENVIRONMENTAL PROTECTION AGENCY  
REGION I - BOSTON

CLASS. NO. 1200  
DELEGATION NO. 14-31

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3. REDELEGATION AUTHORITY.

A. The authorities in 1.B.(1), 1.B.(2), 1.B.(3), 1.B.(4) and 1.B.(6)a. may be redelegated to the Section Chief level or equivalent.

B. The authorities in 1.B.(5) and (6)b. may not be redelegated.

C. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. The Manager, Legal Enforcement Office, OES, and the Agency attorneys must notify the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Enforcement and Compliance Assurance, or their designees, when exercising any of the above authorities.

B. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resources Management.

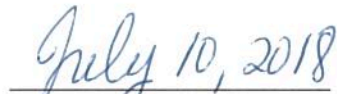
5. ADDITIONAL REFERENCES.


A. All applicable Agency guidance and directives.

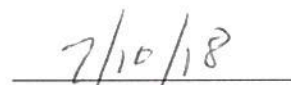
B. Section 109 of CERCLA.

6. SUPERSESSION. Region I Delegation 14-31, dated July 31, 2009.

  
Alexandra Dapolito Dunn  
Regional Administrator

  
Date

  
Tim Conway, Acting Director  
Office of Environmental Stewardship

  
Date